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7 **Attorneys for Complainant**

8
9 BEFORE THE
10 PHYSICAL THERAPY BOARD
DEPARTMENT OF CONSUMER AFFAIRS
11 STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. 1D-2002-62961

13 **JASON LEE MARVIN**
14 2621 Lycoming Drive
Sacramento, CA 95826

15 Physical Therapy License No. PT-25977

16 Respondent.

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 1. An Accusation in case number 1D-2002-62961 was filed with the
21 California Physical Therapy Board, Department of Consumer Affairs (the "Board") on November
22 19, 2003, and is currently pending against Jason Lee Marvin, P.T. (the "respondent").

23 2. At all times relevant herein, respondent has been licensed by the California
24 Physical Therapy Board under Physical Therapy License Number PT 25977, issued by the Board
25 to respondent on or about February 21, 2001. Said license is current with an expiration date of
26 October 31, 2004.

27 3. The Accusation, together with all statutorily required documents, was duly
28 served on the respondent and respondent filed his Notice of Defense contesting the Accusation.

1 A copy of Accusation No. 1D-2002-62961 is attached as Exhibit "A" and hereby incorporated by
2 reference as if fully set forth.

3 4. The Complainant, Steven K. Hartzell, is the Executive Officer of the
4 California Physical Therapy Board and brought this action solely in his official capacity. The
5 Complainant is represented by the Attorney General of California, Bill Lockyer, by and through
6 Deputy Attorney General Mara Faust.

7 5. Respondent is represented by Steven B. Bassoff, whose address is 2000
8 "O" Street, Suite 250, Sacramento, CA 95814.

9 6. The respondent and his attorney have fully discussed the charges contained
10 in the Accusation number 1D-2002-62961, and the Respondent has been fully advised regarding
11 his legal rights and the effects of this stipulation.

12 7. Respondent understands the nature of the charges alleged in the
13 Accusation and that, if proven at hearing, the charges and allegations would constitute cause for
14 imposing discipline upon his certificate. Respondent is fully aware of his right to a hearing on
15 the charges contained in the Accusation, his right to confront and cross-examine witnesses
16 against him, his right to the use of subpoenas to compel the attendance of witnesses and the
17 production of documents in both defense and mitigation of the charges, his right to
18 reconsideration, appeal and any and all other rights accorded by the California Administrative
19 Procedure Act and other applicable laws. Respondent knowingly, voluntarily and irrevocably
20 waives and gives up each of these rights.

21 8. Complainant amends the third cause for discipline to read that
22 respondent's employment of physical therapy assistants in the treatment of patients constituted
23 inadequate supervision in violation of Title 16 C.C.R. section 1389.44. In order to avoid the
24 expense and uncertainty of a hearing, respondent admits to a violation of the third cause for
25 discipline. Respondent hereby gives up his right to contest this charge as a basis for his letter of
26 reprimand. The First, Second and Fourth Causes for discipline are dismissed.

27 10. All admissions and recitals contained in this stipulation are made solely
28 for the purpose of settlement in this proceeding and for any other proceedings in which the

Physical Therapy Board of California or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceedings.

11. Respondent acknowledges that he shall not be permitted to withdraw from this stipulation unless it is rejected by the California Physical Therapy Board.

12. Based on the foregoing admissions and stipulated matters, the parties agree that the Board shall, without further notice or formal proceeding, issue and enter the following order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent specifically admits and agrees that there is jurisdiction for the physical therapy board to enter into this Stipulation and to impose public reproof upon respondent's physical therapy license. Respondent shall be publically reproofed.

ACCEPTANCE

I have read the above Stipulation for Settlement and Disciplinary Order. I have fully discussed the terms and conditions and other matters contained therein with my attorney, Steven Bassoff, Esq. I understand the effect this Stipulated Settlement and Disciplinary Order will have on my physical therapy license, and agree to be bound thereby. I enter this stipulation freely, knowingly, intelligently and voluntarily.

DATED: 04/01/2004.

Original Signed By:
JASON LEE MARVIN, P.T.
Respondent

I have read the above Stipulated Settlement and Disciplinary Order and approve of it as to form and content. I have fully discussed the terms and conditions and other matters therein with respondent Jason Lee Marvin.

DATED: 04/01/2004.

Original Signed By:
STEVEN B. BASSOFF, ESQ.
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
submitted for the consideration of the California Physical Therapy Board.

DATED: 04/13/2004.

BILL LOCKYER, Attorney General
of the State of California
GAIL M. HEPPELL, Supervising
Deputy Attorney General

Original Signed By:
MARA FAUST
Deputy Attorney General

Attorneys for Complainant

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2
3 **BEFORE THE**
4 **PHYSICAL THERAPY BOARD**
5 **DEPARTMENT OF CONSUMER AFFAIRS**
6 **STATE OF CALIFORNIA**

7 In the Matter of the Accusation
8 Against:

9 JASON LEE MARVIN

Case #: 1D 2002 62961

10 The attached Stipulated Settlement and Order is hereby adopted by the
11 Physical Therapy Board, Department of Consumer Affairs, State of
12 California, as its decision in the above-entitled matter.

13 This decision shall become effective on the 9th day of June, 2004.

14 It is so ordered this May 10, 2004 .

15 Original Signed By:
16 Don A. Chu, P.T., President
17 Physical Therapy Board
18 of California
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